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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/811,655 | 03/20/2001 | Takashi Shinzaki | 1075.1151 | 9981 |
| 21171 | 7590 | 01/13/2005 | EXAMINER | |
| STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005 | | | BHATTACHARYA, SAM | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2687 | |

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|---|-------------------------------------|-------------------------|
| <i>Q.M.</i> Office Action Summary | Application No. | Applicant(s) |
| | 09/811,655 | SHINZAKI, TAKASHI |
| | Examiner Sam Bhattacharya | Art Unit 2687 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,2,4,6,7,9,17-32 and 39-55 is/are pending in the application.
 - 4a) Of the above claim(s) 17-32 and 39-51 is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 1,2,4,6,7,9 and 52-55 is/are rejected.
- 7) Claim(s) ____ is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date ____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: ____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 4, 52 and 53 are rejected under 35 U.S.C. 102(e) as being anticipated by Preston et al. (U.S. 6,681,121).

As to claim 1, Preston et al. discloses a mobile phone which includes a main body 14; a battery pack 208 supplying power thereto, the battery pack having an input/output section integrally formed therewith for inputting/outputting information; and an interface section 200, disposed on a contact surface between the battery pack and the main body, for transferring input/output signals relating to the information between the main body and the battery pack. The battery pack inputs/outputs information via the modem 28, GPS receiver 210 and interface section 200. See FIG. 14, and col. 9, lines 10-13 and 21-25.

As to claim 4, FIG. 14 in Preston et al. shows a mobile electronic apparatus according to claim 1, wherein said interface section 200 is a connector or an electrical contact, adapted to be connected between said attachment part and said main body, for receiving/transmitting the input/output signals. See col. 9, lines 11-13.

As to claims 52 and 53, discloses that the interface section provides communication between the main body and the battery pack, wherein the battery pack and the interface section

operate together to allow information to be input to the main body from outside of the mobile phone by being input to the battery pack through the input/output section and being input to the main body via communication between the battery pack and the interface section, and to allow information to be output from the main body to outside of the mobile phone by being output from the main body to the battery pack via communication between the interface section and the battery pack and being output from the battery pack to outside of the mobile phone through the input/output section. The inputted information provides additional functionality to the mobile phone. See col. 9, lines 16-20 and 25-35.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Preston et al. in view of Muramatsu et al. (U.S. 6,477,391).

As to claim 2, the Chen reference discloses a mobile electronic apparatus according to claim 1. However, it does not disclose the interface section is an optical communications section which receives/transmits optical signals as the input/output signals. The Muramatsu reference teaches the interface section is an optical communications section which receives/transmits optical signals as the input/output signals (“light guide 103” in Col. 7, line 36 to Col. 8, line 14 and Figure 11).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus of Preston et al. wherein the interface section is an optical communications section which receives/transmits optical signals as the input/output signals, as taught by Muramatsu, in order to associate a mobile phone with external instruments in a non-contact manner.

5. Claims 6, 9, 54 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Preston et al. in view of Chen (U.S. Patent 6,411,823).

As to claims 6, 9, 54 and 55, Preston et al. fails to disclose that the input/output section has a keyboard.

However, Chen shows a mobile electronic apparatus, wherein said input/output section has a keyboard (9) ("referring to FIGS. 3, 4, it illustrates a signal cable 1 having a dial-decoding IC or circuitry 14 of the present invention in combination with an externally-dialed hand-free system and an external dialing keyboard. When a user dials with a dialing keyboard 9 secured to a steering wheel 6, the dial-decoding IC or circuitry 14 carries out the translation of the dialed number of the cellular phone 2" (Col. 3, lines 57-63)).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus of Preston et al. by including a keyboard in the input/output section, as taught by Chen, so as to facilitate hands-free communication of the mobile phone.

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6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Preston et al. in view of Muramatsu, and further in view of Chen.

Claim 7 incorporates the limitations of claims 2 and 6, and is therefore rejected for the same reasons as claims 2 and 6.

Response to Arguments

1. Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Bhattacharya whose telephone number is (703) 605-1171. The examiner can normally be reached on weekdays 8:30 a.m. to 6:00 p.m., first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on (703) 305-3016. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

sb



SONNY TRINH
PRIMARY EXAMINER